

## **ARTICLE III – 301 – 311 ADMINISTRATION**

### **Section 301 Building Inspector**

- a. The provisions of this Ordinance and any amendments thereto shall be administered and enforced by the Building Inspector, who shall be appointed by the Board of Selectmen, and who shall report violations of this Ordinance to the Board of Selectmen.
- b. Enforcement of this Zoning Ordinance shall be pursuant to RSA 676:17-b.

### **Section 302 Building Permit Required**

Written application for a building permit must be filed by the owner, his agent or lessee with the Building Inspector for any of the following, and except as provided for emergencies under RSA 31:70, until a building permit has been obtained from the Building Inspector (or, if the permit is denied, until the Board of Adjustment has directed that a permit be issued), none of the following shall be commenced:

- a. The erection of any new building, exterior sign or other structure.
- b. The alteration, restoration, moving or demolition of any building, structure, exterior sign or part thereof.
- c. The establishment of a professional office or home occupation pursuant to *Section 1102, Uses Not Permitted*.
- d. Any use of premises which is to provided for in this Ordinance, including but not limited to a change in the nature of the use of any building or premises to a non-conforming use from any lawful prior use, or any change in lot size or shape which would result in a violation of area or dimensional restriction.
- e. Temporary structures such as campers, park trailers and recreational vehicles used as living quarters in the RI & RII zone, open space and farm zone and used at residences located in a commercial/light industrial zone, industrial zone or business zone, shall not be occupied more than 21 days in a calendar year. Anyone obtaining a temporary permit shall be entitled to one 21-day extension unless the Code Enforcement Officer determines there is a substantial threat to public health, safety and/or welfare. The Board of Selectmen shall establish a fee for temporary permits.

### **Section 303 Application for Building Permit**

Application for a building permit shall be upon an appropriate form as prescribed by the Building Inspector and shall be accompanied by:

- a. Plans drawn to scale, showing actual shape, dimensions and location of the lot to be used, of existing buildings upon it, of alterations proposed for existing buildings and of proposed new dwellings.
- b. Information as to the existing and intended use of each building, lot or part thereof, and as to the number of families, lodgers, or other occupants any building upon the premises is designed to accommodate.
- c. Such further details as the Building Inspector may require to determine and evaluate the application for building permit.

#### **Section 304 Action on Application for Building Permit**

The Building Inspector shall determine whether an application for a building permit is in compliance with a permitted use as defined in this Ordinance. If the Building Inspector determines that it is, the application for permit shall be approved and a building permit issued. If the Building Inspector determines that it is not, the application shall be denied. The Building Inspector shall act upon any application within thirty (30) days after it has been filed.

#### **Section 305 Effect of Building Permit**

Issuance of a building permit pursuant to this Ordinance constitutes approval by the Town for the proposed use only under the requirements of this Zoning Ordinance.

#### **Section 306 Building Permit**

A building permit shall be valid for one (1) year from the date of issuance provided that work is commenced under the permit within six (6) months after issuance. Said permit may be renewed for a further period of one (1) year. On new building, "construction commenced" shall mean the completion of at least the foundation. After a foundation is constructed, buildings must be completed within one (1) year unless the time is extended by the Building Inspector for good cause. All permits issued prior to the enactment of this amendment shall expire one (1) year from the date of enactment of this amendment unless renewed under the above provision.

#### **Section 307 Duration of Building Permit**

A building permit shall become void if construction is not begun thereunder within twelve (12) months from the date of issuance of the permit. Permits may be extended once for no more than an additional twelve (12) months by the Building Inspector upon receipt of a written request for extension at least fourteen (14) days prior to the expiration of the original permit.

#### **Section 308 Transferability of Building Permit**

No building permit issued hereunder shall be transferable to a subsequent owner.

### **Section 309    Building Permit of the Board of Adjustment**

On approval of an application, a variance, special exception or appeal to an administrative decision by the Board of Adjustment, the Building Inspector shall issue a building permit upon receipt of the written notice of the approval by the Board of Adjustment.

## **Section 310 Fees**

The fees for building permits and use permits shall be established by the Board of Selectmen. Said fee shall accompany each application for a building permit or application for a use permit.

## **Section 311 Use Permits:**

Prior to a business occupying an existing building in any zone, including an approved location for a home occupation:

- a. A written application for a use permit shall be submitted to the Building Inspector upon an appropriate form as prescribed by the Building Inspector.
- b. A floor plan showing items such as, but not limited to, exits, interior walls, counter space, showcases and any other “obstacles”, sprinkler heads if applicable and fire extinguisher and emergency lighting locations shall be submitted with the application for review by the Fire Prevention Officer.

*Prior to the issuance of a use permit*, inspection must be conducted by the Building Inspector and Fire Prevention Officer or Fire Chief. If the property is serviced by Town water and/or sewer, the Allenstown Sewer Department and Pembroke Water Works may conduct inspection as necessary. Use permit fees shall be set by the Board of Selectmen.